

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ROY L. ELLIS,

Petitioner,

vs.

ROB JEFFREYS, Director, Nebraska  
Department of Correctional Services,

Respondent.

8:23-CV-315

**MEMORANDUM AND ORDER  
GRANTING LEAVE TO PROCEED IN  
FORMA PAUPERIS**

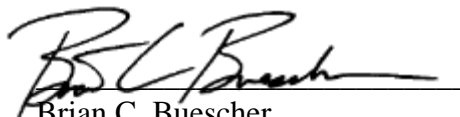
Petitioner filed a Petition for Writ of Habeas Corpus pursuant to [28 U.S.C. § 2254](#), [Filing 1](#), and a Motion for Leave to Proceed in Forma Pauperis, [Filing 2](#). Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 filing fee. [28 U.S.C. § 1914\(a\)](#). However, after considering Petitioner's financial status as shown in the records of this Court, [Filing 8](#), leave to proceed *in forma pauperis* will be granted and Petitioner is relieved from paying the filing fee. *See* [28 U.S.C. § 1915\(a\)\(1\)](#). Accordingly,

IT IS ORDERED:

1. Petitioner's Motion for Leave to Proceed in Forma Pauperis, [Filing 2](#), is granted; and
2. The Court will conduct a preliminary review of the habeas corpus petition in accordance with Rule 4 of the Rules Governing Section 2254 cases in the Court's normal course of business.

Dated this 11th day of August, 2023.

BY THE COURT:

  
Brian C. Buescher  
United States District Judge